

AGENDA--CITY COUNCIL
CITY OF MARTINSVILLE, VIRGINIA
Tuesday March 9, 2021

**6:00pm Regular Session - Albert Harris Elementary Cafeteria
(710 Smith Street, Martinsville)**

Closed Session – to follow Regular Session

6:00 pm - Regular Session

Pledge to the American Flag and Invocation by Council Member Martin

1. Consider approval of Consent Agenda. (5 mins)
2. Conduct a public hearing regarding a planned Community Development Block Grant application for the Pine Hall Road area. (20 mins)
3. Consider adoption of a resolution in support of a community- based probation and pretrial court services program. (15 mins)
4. Approve minutes from the February 23, 2021 Council Meetings. (5 mins)
5. Read a Proclamation acknowledging March 2021 as Women’s History Month. (5 mins)
6. Read and present a proclamation acknowledging the month of March as Red Cross Month. (5 mins)
7. Consider approval of Consent Agenda. (5 mins)
8. Business from the Floor - CANCELLED
As a result of COVID-19 issues, business from the floor will not occur at City Council meetings until further notice. Citizens desiring to present comments for Council’s consideration may do so by emailing the comments to Karen Roberts, Clerk of Council at kroberts@ci.martinsville.va.us, calling in the comments to 276-403-5182, faxing comments to 276-403-5280, or mailing comments to City of Martinsville, attn.: Karen Roberts, P.O. Drawer 1112, Martinsville, VA 24114. Comments must be received by noon, March 9 for consideration by Council at this meeting.
9. Comments by members of City Council. (5 minutes)
10. Comments by City Manager and City Attorney. (5 minutes)

Closed Session to follow Regular Session

Items to be considered in Closed Session, in accordance with the Code of Virginia, Title 2.2, Chapter 37—Freedom of Information Act, Section 2.2-3711(A)—Closed Meetings, the following:

- A. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as authorized by Subsection 3.

Meeting Date: March 9, 2021

Item No: 1.

Department: Clerk of Council

Issue: Consider approval of minutes

Summary: None

Attachments: February 23, 2021 Council Meeting

Recommendations: Motion to approve minutes as presented.

Date: March 9, 2021

Item No: 2.

Department: Community Development

Issue: Conduct a public hearing regarding a planned Community Development Block Grant application for the Pine Hall Road area.

Summary: Community Development is working toward a Spring, 2021 application to DHCD for a Community Development Block Grant application for the Pine Hall Road area of the City. This will be the City's third application for this project.

Overall, the purpose of this specific project is to address blighting influences, assist property owners in rehabbing their respective residences, and to engage the residents of the Pine Hall Road area in the improvement of their neighborhood. This will be the second public hearing for this project. At the first public hearing on January 26th, Community Development Director Mark McCaskill presented general information on the project, and no comments were received. At that meeting, Council suggested the second public hearing for the project be held in the neighborhood to encourage better participation.

Attachments: Presentation Materials

Recommendation: Conduct the public hearing, hear information on the proposed CDBG project in the Pine Hall Road area, and take any comments received at the hearing under advisement as the CDBG application is prepared for re-submission.



City of Martinsville

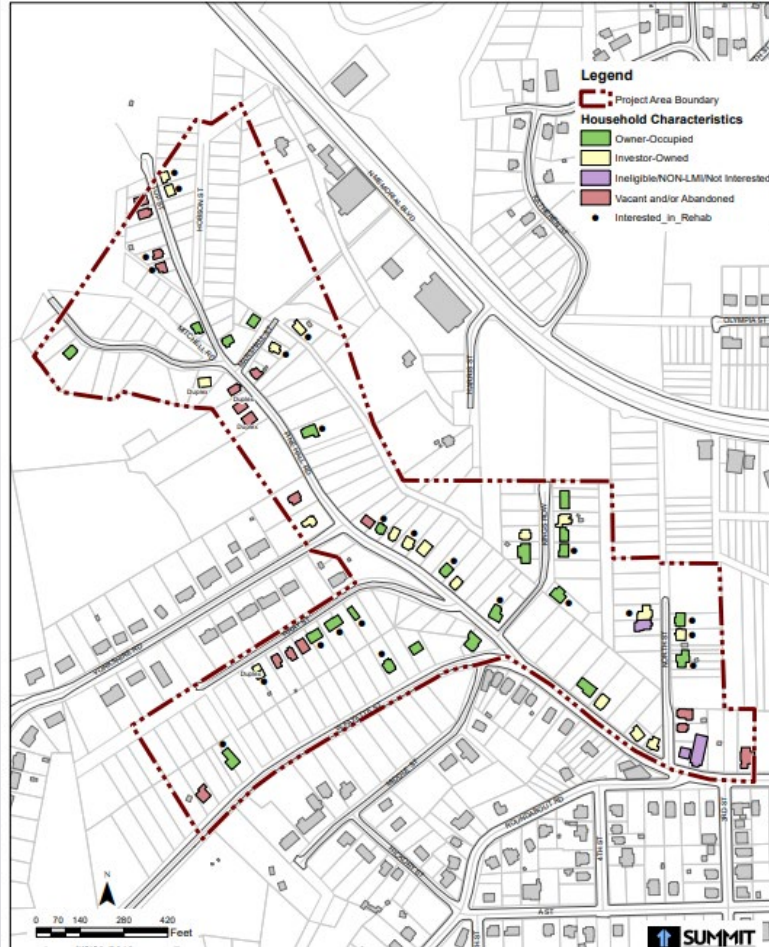
Neighborhood Revitalization

Pine Hall - Community Development Block Grant (CDBG)- Project

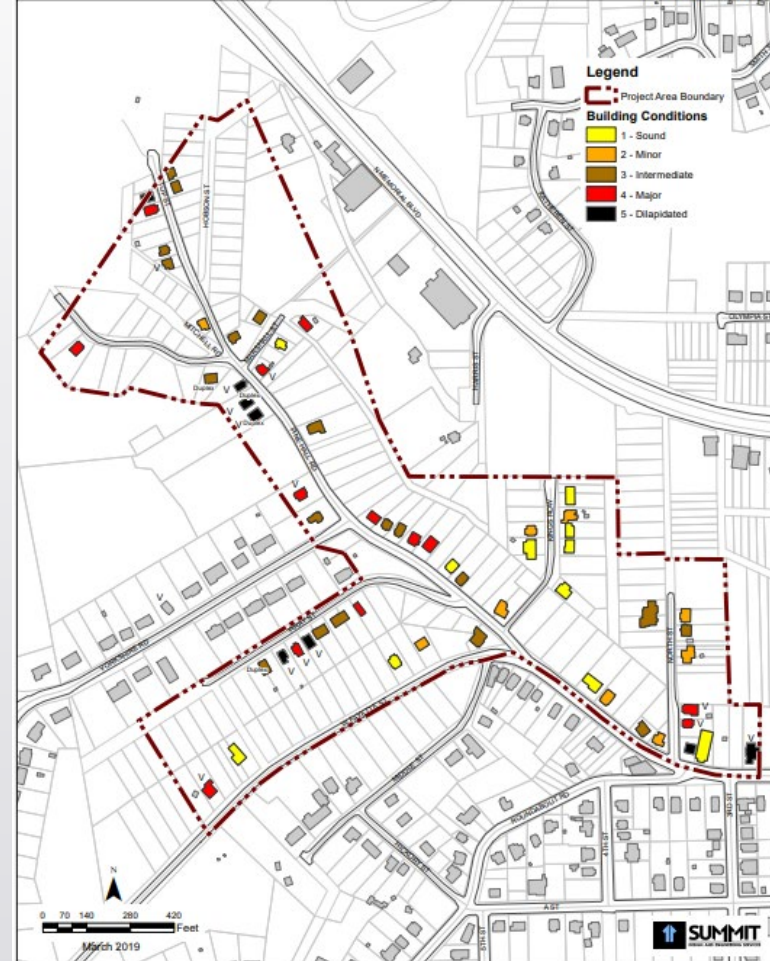
Public Hearing – March 9, 2021

Overview of Project

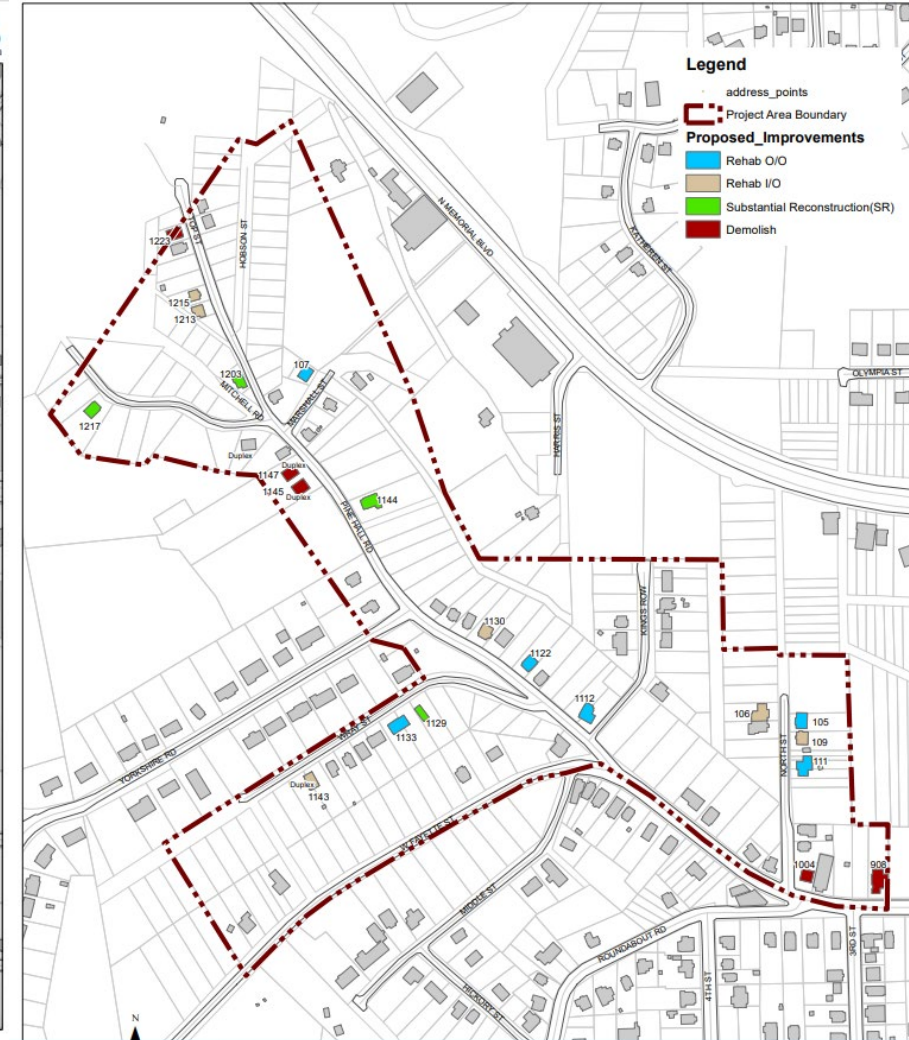
HOUSEHOLD CHARACTERISTICS
PINE HALL NEIGHBORHOOD
City of Martinsville, Virginia



BUILDING CONDITIONS
PINE HALL NEIGHBORHOOD
City of Martinsville, Virginia



PROPOSED IMPROVEMENTS
PINE HALL NEIGHBORHOOD
City of Martinsville, Virginia





Community Involvement/ Contact

- Community meeting on February 11, 2021
 - Several new potential participants indicated interest at the community meeting.
- 2 Mailings – 75 recipients each mailing (including all past participants plus new potential participants from February 11th Community Meeting)
 - overview letter, income survey, CDBG fact sheet, what you need to know brochure, self addressed envelope
 - Flier
- Additional Community Meeting scheduled for March 18, 2021



Activities

- 3 to 4 Demolitions
- 18 Housing Rehabs (Some substantial, and some less so)
- Contracted Rehab Specialist to update 18 cost estimates, perform 5 detailed work write-ups, 4 demolition specs and cost estimates, and provide cost analysis spreadsheet.
- Stormwater drainage improvements
- Street Improvements



City of Martinsville Grant Application Development Timeline

• CIG Application due		April 1, 2021
• CDBG Grants awarded		Late Summer 2021
• DHCD Contract signed		Late 2021 – Early 2022
• Project Implementation	24 months	April 2022 – March 2024
	36 months	April 2022 – March 2025



City of Martinsville

What needs are there in the community?

- The City plans to work in conjunction with West Piedmont PDC on a city-wide assessment of future CDBG projects.

Other questions???

Contact Mark McCaskill, Director of Community Development 276-403-5169; email mmccaskill@ci.martinsville.va.us

Date: March 9, 2021

Item No: 3.

Department: City Attorney

Issue: Consider adoption of a resolution in support of a community-based probation and pretrial court services program.

Summary: Henry County, Patrick County, the City of Martinsville and Franklin County are four (4) of only five (5) localities in the State of Virginia that currently have neither local probation nor pretrial services available. With the availability of grant funding to expand pretrial services and/or local probation to localities without these services, Henry County, Patrick County Franklin County and the City of Martinsville have asked to partner with Halifax/Pittsylvania Court Services to expand services to these areas as it is a contiguous jurisdiction. Halifax/Pittsylvania Court Services currently provides pretrial services and local probation to Halifax County, Pittsylvania County, and the City of Danville, with Halifax County serving as fiscal agent.

Attachments: Supporting materials, resolution

Recommendations: Adoption of resolution (motion, second, voice vote)

Council Members
Kathy Lawson, Mayor
Jennifer Bowles, Vice-Mayor
Chad Martin
Tammy Pearson
Danny Turner



City Manager
Leon E. Towarnicki
City Attorney
Eric H. Monday
Clerk of Council
Karen Roberts

RESOLUTION

IN RE: COMPREHENSIVE COMMUNITY CORRECTIONS ACT FOR LOCAL-RESPONSIBLE OFFENDERS AND THE PRETRIAL SERVICES ACT

WHEREAS, the Commonwealth of Virginia, in the interest of community corrections and pretrial services, has provided by law for any city, county, or combination thereof to develop, establish, and maintain a local pretrial services or community-based probation program. The community-based probation program provides the judicial system with sentencing alternatives for certain local-responsible offenders pursuant to Article 9 (Section 9.1-173 et seq) of Chapter 1 of Title 9.1 of the Code of Virginia. Such programs shall provide services to include, but not limited to: community service, probation supervision, home incarceration, substance abuse assessment, drug testing, and substance abuse treatment. The local pretrial program will assist judicial officers in discharging their duties pursuant to Article 1 (Section 19.2-152.2 et seq) of Chapter 9 of Title 19.2 of the Code of Virginia.

WHEREAS, Halifax/Pittsylvania Court Services has administered the Community Corrections Program for Halifax and Pittsylvania Counties since July 1, 1995, and the Pretrial Program for these localities since April 1, 1996, and has administered Community Corrections to the City of Danville since September 7, 2004 and the Pretrial Program since October 1, 2009.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Martinsville that the City of Martinsville shall pursue funding through a joint exercise of powers, as authorized by Section 15.2-1300 of the Code of Virginia, with the Board of Supervisors of Pittsylvania County, Halifax County, Patrick County, Franklin County and the City Councils of Danville and Martinsville for a community-based probation program and a pretrial services program. Such programs are to be administered by the agency currently operating as Halifax/Pittsylvania Court Services. The programs' operations will be as follows:

1. A community criminal justice board will be established to represent the counties of Halifax, Pittsylvania, Henry, Patrick and Franklin and the Cities of Danville and Martinsville. Appointments to the Board shall be made by each local governing body, and each local governing body shall agree upon appointments. The Board shall have no more than thirty-five (35) members.

Unless otherwise agreed upon, each participating county shall have an equal number of appointments. Each board shall include, at a minimum, the following mandatory members: a member from each governing body or a city or county manager, county administrator or executive, or assistant or deputy appointed by the governing body; a judge of the general district court; a circuit court judge; a juvenile and domestic relations

district court judge; a chief magistrate; one chief of police or the sheriff in a jurisdiction not served by a police department to represent law enforcement; an attorney for the Commonwealth; a public defender, and/or an attorney who is experienced in the defense of criminal matters; a sheriff or the regional jail administrator responsible for jails serving those jurisdictions involved in the local pretrial services and community-based probation program; a local educator; and a community services board administrator.

2. The criminal justice board will serve the counties of Halifax, Pittsylvania, Henry, Patrick and Franklin and the Cities of Danville and Martinsville in accordance with Section 9.1-180 of the Code of Virginia.
3. Halifax County will act as fiscal agent, and the County Administrator for Halifax County will represent the board as Program Administrator.
4. Localities are required to establish local pretrial services and community-based probation programs only to the extent funded by the Commonwealth through the general appropriations act, and funding shall be used for the provision of services and operations of programs.
5. The Program is authorized to acquire furniture and equipment as the fiscal agent deems necessary or advisable for the optimal operation of the Program. Any title to such furniture and equipment shall be vested in the Program so long as the seven (7) political subdivisions continue to participate in this agreement. In the event that only one (1) political subdivision continues to administer the Program, it shall cease to operate as a joint exercise of power; and property then owned by the Program will be disposed as follows:
 - A. Any property owned by the Program prior to July 1, 1995, or purchased with grant funds since that date, shall remain the property of the political subdivision that continues to administer said Program.
 - B. Any property owned by Halifax County, but on loan to the Program, shall be returned to Halifax County should Halifax County withdraw from this agreement.
 - C. Any property owned by Pittsylvania County, but on loan to the Program, shall be returned to Pittsylvania County should Pittsylvania County withdraw from this agreement.
 - D. Any property owned by the City of Danville, but on loan to the Program, shall be returned to the City of Danville should the City of Danville withdraw from this agreement.
 - E. Any property owned by Henry County but on loan to the Program, shall be returned to the Henry County should Henry County withdraw from this agreement.

- F. Any property owned Patrick County, but on loan to the Program, shall be returned to Patrick County should Patrick County withdraw from this agreement.
 - G. Any property owned by Franklin County, but on loan to the Program, shall be returned to the Franklin County should the Franklin County withdraw from this agreement.
 - H. Any property owned by the City of Martinsville, but on loan to the Program, shall be returned to the City of Martinsville should the City of Martinsville withdraw from this agreement.
6. This agreement shall remain in effect for one year commencing April 1, 2021 and shall continue thereafter automatically from year to year unless terminated by unanimous agreement of all participating governing bodies. Any locality wishing to withdraw from the program may, at the beginning of any calendar quarter, by ordinance or resolution of its governing authority, notify the Director of the Department of Criminal Justice Services of its intention to withdraw from the community corrections program. Such withdrawal shall be effective as of the last day of the quarter in which such notice is given.

Attest:

Kathy Lawson, Mayor

Karen Roberts, Clerk of Council

HALIFAX/PITTSYLVANIA COURT SERVICES

Local Probation Supervision and Pretrial Services

Director: Freda H. Holliday

Mailing Address: P. O. Box 1158
Halifax, VA 24558

E-Mail Address: fhf@co.halifax.va.us

Local Probation Supervision (Community Corrections)

Provide services to adult offenders. (Code Section 9.1-173 of the Code of Virginia)

Services include:

- supervision
- substance abuse testing (urine screens)
- substance abuse screening and assessment
- drug & alcohol education/treatment
- referral to and monitoring participation with Mental Health
- community service
- anger management
- Risk/Needs Assessment

Pretrial Services

Provides screening, investigating, reporting, recommendations, and supervision for the release of defendants into the custody of the pretrial program.

A validated risk assessment, Virginia Pretrial Risk Assessment Instrument (VPRAI), is completed on all defendants investigated or placed directly on pretrial supervision.

Defendants placed on pretrial supervision must be adults or are being tried as an adult. In addition to the Courts placing defendants on pretrial supervision, magistrates can directly place defendants on pretrial supervision.

If placed on pretrial supervision, services include:

- close supervision
- substance abuse testing (urine screens)
- substance abuse screening and assessment
- drug & alcohol education
- monitor participation in counseling with Mental Health or other service providers
- maintain employment
- curfew
- reminder of court date

Project Description

Henry County, Patrick County, the City of Martinsville and Franklin County are four (4) of only five (5) localities in the State of Virginia that currently have neither local probation nor pretrial services available. With the availability of grant funding to expand pretrial services and/or local probation to localities without these services, Henry County, Patrick County Franklin County and the City of Martinsville have asked to partner with Halifax/Pittsylvania Court Services to expand services to these areas as it is a contiguous jurisdiction. Halifax/Pittsylvania Court Services currently provides pretrial services and local probation to Halifax County, Pittsylvania County, and the City of Danville, with Halifax County serving as fiscal agent.

Following the announcement was made regarding the availability of grant funds to expand services to unserved localities, the Director of Halifax/Pittsylvania Court Services spoke with the County Administrators of Henry, Patrick and Franklin Counties and the City Manager of the City of Martinsville, as well as other stakeholders from each locality, including the Commonwealth's Attorneys and the Sheriffs or representatives of the Sheriffs' Offices. There was strong support for the implementation of pretrial services and local probation in these unserved areas, and letters of support were provided for submission with this grant application. The Director has spoken with judges in the 21st Judicial Circuit and Franklin County who have also provided letters of support.

A grant application was submitted by Halifax/Pittsylvania Court Services in February 2020 requesting funds to expand the existing services offered by Halifax/Pittsylvania Court Services to the four (4) unserved jurisdictions noted previously. However, following submission of the grant application, funds for expansion were frozen in the State budget. In December 2020, the Department of Criminal Justice Services notified Halifax/Pittsylvania Court Services that the funds were being awarded effective January 1, 2021 for expansion of services. Since that time, Freda H. Holliday, Director of Halifax/Pittsylvania Court Services has begun working with the four (4) jurisdictions to implement local probation and pretrial services.

Based on the discussions with the stakeholders, there is a great need for pretrial services and local probation in Henry, Patrick and Franklin Counties and the City of Martinsville. In addition to providing additional options to the courts that have never been available, these services would alleviate some of the jail overcrowding in turn saving tax payer money. Also, there would be the added benefit of increased public safety with defendants/offenders being supervised while in the community. The judges and stakeholders are excited about the possibility of pretrial services and local probation soon being available in these unserved areas, and are supportive of the partnership with Halifax/Pittsylvania Court Services to work towards the implementation of services. Halifax County will remain as the fiscal agent and the Director of Halifax/Pittsylvania Court Services would oversee the daily operations of pretrial services and local probation for these areas, in addition to the current localities served by this agency.

Pretrial Services

Based on the data reviewed regarding the four jurisdictions, there is a definite need for Pretrial Services in Henry, Patrick and Franklin Counties and the City of Martinsville. Jail overcrowding is an evident problem, and the pretrial populations are high in these localities. These are indicators that the use of pretrial investigations and pretrial supervision would decrease the current jail populations while reducing jail costs.

With the implementation of Pretrial Services, information could be provided to the judicial officers to assist with bail decisions at arraignment and subsequent bond hearings to minimize the number of defendants detained in jail awaiting trial. With the primary reasons for holding a defendant being to ensure that they appear for all scheduled court appearances and to confine someone who poses a threat to public safety, having the benefit of Pretrial Investigations would assist the judicial officer in making a better-informed decision regarding pretrial release by identifying detained defendants who can be safely released. In addition, with the availability of Pretrial Services to supervise defendants in the community while awaiting trial, the judicial officers will have the security of knowing that defendants are being supervised and that they are being closely monitored for compliance with their release conditions. This would impact the jail population and should show a decrease in jail costs, and it will also keep defendants who do not need to be detained in the community.

Local Probation

Based on the data reviewed for the local jails in all four (4) jurisdictions, it was determined that there are local responsible offenders serving active sentences that could be eligible for local probation supervision. Information was not readily available regarding the type of cases serving active sentences and whether there are mandatory sentences, so a specific number of potential placements is not available. However, based on conversations and correspondence from stakeholders, there are individuals who could be considered for a suspended sentence if local probation services were available to provide supervision. There is also a concern that there is currently no agency to supervise cases that are under deferred disposition and to report back to the Court on the progress.

As intended by the Code of Virginia, the district courts would benefit most from local probation services and the types of cases that it is anticipated would be placed on supervision would include but are not limited to the following: Underage Possession of Alcohol, Simple Assault, Shoplifting, Trespassing, Petit Larceny, Assault on Family Member, Violate a Protective Order, Contributing to Delinquency of Minor, and Obtain Money by False Pretenses. Cases that may be placed on local probation by Circuit Court include but are not limited to misdemeanor appeals, deferred Possession of Narcotics, and felony charges for which the offender receives a sentence of 12 months or less. Matters that are deferred can be placed on local probation in accordance with the specific statutes in the Code of Virginia.

There was no specific data available regarding the specialty populations processed at the

district court level; however, based on the jail information and discussions with the judges and other stakeholders, the populations are very similar to those in the areas already served by Halifax/Pittsylvania Court Services. Substance abuse, domestic violence and mental health issues will be major areas of concern.

Local Probation services will primarily be utilized at the district court level, but would be an option in Circuit Court as well. The four (4) localities who will be included in the expansion of services have never had any type of Local Probation available other than the services provided by the local Alcohol Safety Action Program and limited services that the courts have asked for assistance with from State Probation and Parole. Over the past twenty (20) years, Halifax/Pittsylvania Court Services has been contacted on several occasions by individuals from the Martinsville/Henry County Area about expanding Local Probation Services to that locality. However, due to lack of available funding, it was not possible for this agency to take on additional jurisdictions. The need for services was evident and we now have an opportunity to expand these much needed services to these jurisdictions.

Responsibility of the Localities

The initial need is for each locality to sign a resolution entering into a Joint Exercise of Powers agreement with the other six (6) jurisdictions served by Halifax/Pittsylvania Court Services. A draft resolution has been provided for your Board of Supervisors/City Council to review and consider. There is no match requirement for the grant, and as noted above and in the resolution, Halifax County will continue to serve as the fiscal agent for Halifax/Pittsylvania Court Services.

Over the next few months, Halifax/Pittsylvania Court Services will be expanding the Community Corrections Resources Board (CCJB) which serves as an advisory board to Halifax/Pittsylvania Court Services. The Boards of Supervisors and City Councils will be asked at that time to review and consider for approval the appointments to the CCJB.

The continued support of the Boards of Supervisors and City Councils is greatly appreciated throughout this implementation of services in your respective localities. Halifax/Pittsylvania looks forward to working with your locality and all of the stakeholders in this process.

Date: March 9, 2021

Item No: 4.

Department: City Council

Issue: Read a Proclamation acknowledging March 2021 as Women's History Month.

Summary: Since 1987, the month of March has been observed as Women's History Month. A Proclamation is attached acknowledging this and bringing awareness to the significance of the contributions women have made in our society.

Attachments: Proclamation

Recommendations: No action by Council needed - the Mayor will read the Proclamation.



PROCLAMATION

RECOGNIZING MARCH 2021 AS WOMEN'S HISTORY MONTH IN THE CITY OF MARTINSVILLE

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have served our country courageously in the military; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, Over time, Martinsville women have served in a variety of key leadership roles including Council Members Elizabeth Haskell, Eliza Severt, Kathy Lawson, Kim Adkins, Sharon Brooks Hodge, Jennifer Bowles, and Tammy Pearson; and

WHEREAS, Despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history,

NOW, THEREFORE, I, Kathy Lawson, Mayor, and members of Martinsville City Council do hereby proclaim the month of March 2021 as Women's History Month in the City of Martinsville and we urge all citizens to join in celebrating the contributions women have made to our society.

Kathy Lawson, Mayor

Date: March 9, 2021

Item No: 5.

Department: City Council

Issue: Read and present a proclamation acknowledging the month of March as Red Cross Month.

Summary: The proclamation recognizes the month of March as Red Cross Month. A representative of American Red Cross will be present to accept the proclamation.

Attachments: Proclamation

Recommendations: No action by Council needed - the Mayor will read and present the proclamation.



PROCLAMATION

RECOGNIZING THE MONTH OF MARCH AS AMERICAN RED CROSS MONTH

WHEREAS, The tradition of March being recognized as American Red Cross Month began in 1943 with a proclamation from President Franklin D. Roosevelt; and

WHEREAS, American Red Cross Month is a special time to recognize and thank our heroes who volunteer and give of their time to help their neighbors, donate blood, take life-saving courses, or provide financial donations to support an organization whose mission is to help those in need; and

WHEREAS, in our community, Red Cross works tirelessly through its employees and volunteers to help when disaster strikes, when someone needs lifesaving skills or the comfort of a helping hand; and

WHEREAS, across the country, the American Red Cross responds to thousands of disasters a year; provides services to military members, veterans and civilians; collects and distributes about 40 percent of the nation's blood supply; and trains millions of people in first aid, water safety and other life-saving skills every year; and

WHEREAS, our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission, and despite these challenging economic times, the American Red Cross continues to offer help and comfort to those in need,

NOW, THEREFORE, I, Kathy Lawson, Mayor, and members of Martinsville City Council, on this 9th day of March, 2021 do hereby proclaim and recognize the month of March as American Red Cross Month and acknowledge our sincere appreciation for the work Red Cross does in our community. We encourage all citizens to support this organization and its noble humanitarian mission.

Kathy Lawson, Mayor



City Council Agenda Summary

Meeting Date: March 9, 2021

Item No: 6.

Department: Finance

Issue: Consider approval of the Consent Agenda

Summary:

The attachment amends the FY21 budget with the following appropriations:

FY21

General Fund: \$ 227,371

Attachments:

Consent Agenda 3-9-21

Recommendations: Approve

BUDGET ADDITIONS FOR 03/09/21

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
BUDGET ADDITIONS				
<u>FY2021</u>				
<u>General Fund:</u>				
01102926	405555	Brownfields Grant - EPA		9,768
01812247	503136	Brownfields - Hazardous - Consultant	351	
01812249	503136	Brownfields - Petroleum - Consultant	9,417	
		Requisition #12		
01102926	405555	Brownfields Grant - EPA		12,224
01812247	503136	Brownfields - Hazardous - Consultant	3,165	
01812249	503136	Brownfields - Petroleum - Consultant	9,059	
		Requisition #13		
01101917	442401	Categorical Other State - Confiscated Assets - PD		379
01311085	506078	Police Dept - State Asset Forfeitures	379	
		Forfeited assets from Commonwealth		
01101917	405555	Brownfields Grant - VBAF		205,000
01812252	503174	Brownfield Remediation - Demolition	205,000	
		Requisition #1		
Total General Fund:			227,371	227,371